

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUN MICROSYSTEMS INC,

No. C-08-01641 EDL

Plaintiff,

v.

**ORDER REGARDING NOVEMBER 23,  
2009 DISCOVERY LETTERS**

NETWORK APPLIANCE,

Defendant.

On November 23, 2009, the parties filed two joint two-page letters concerning discovery disputes relating to: (1) discovery NetApp is seeking from Sun [Dkt.# 125], and (2) discovery Sun is seeking from NetApp [Dkt.# 124]. Upon review of the letters, the Court does not have enough information before it to rule on most of the issues raised at this time. The Court therefore Orders as follows:

Regarding the letter concerning discovery NetApp is seeking from Sun, the Court will allow a joint brief of no more than eight pages per side by December 9, 2009. The Court further Orders Sun to produce a witness involved in the negotiation of the Sun-Veritas Agreement and information regarding payments made to Veritas pursuant to the agreement, to the extent such information exists, as Sun agreed to do in its portion of the joint letter.

Regarding the letter concerning discovery Sun is seeking from NetApp, the Court will allow a joint brief of no more than eight pages per side by December 9, 2009. The Court further Orders the parties to meet and confer regarding deposition topic 4 (Fourth Notice) and NetApp's

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1 proposed compromise relating to financial disclosures as soon as possible, as it appears that these  
2 issues may be able to be resolved without Court involvement.

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4 **IT IS SO ORDERED.**

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6 Dated: November 30, 2009

*Elizabeth D. Laporte*

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ELIZABETH D. LAPORTE  
United States Magistrate Judge